

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Guarino

Plaintiff,

-v-

Escapes of Merrick, Ltd.

Defendants.

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ORDER OF DISMISSAL
FOR FAILURE TO
PROSECUTE
CV-03-5318(TCP)

IT IS HEREBY ORDERED that the above entitled matter be dismissed for failure to prosecute. There having been no activity in this case since 11/2/2004 and there was no response to the request for a written status report filed on 4/19/2006 .

IT IS FURTHER ORDERED that a copy of this Order be mailed to counsel for all sides and the Clerk of the Court is directed to mark the case closed.

/S/

Thomas C. Platt
U.S. District Judge

Dated: Central Islip, NY
August 28, 2006